| | APPLICATION NO.: | 10/743,625 | ATTY. DOCKET NO. | : C1039.70073US00 |
|--|-------------------|--------------|------------------|--------------------|
| FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE | FILING DATE: 2003 | December 22, | CONFIRMATION NO |).: 9416 |
| STATEMENT BY APPLICANT | APPLICANT: | Krieg et al. | | |
| Sheet 3 | GROUP ART UNIT: | 1645 | EXAMINER: | Nita M. Minnifield |
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| | DEO 2 - | <u> </u> | | PATENT DOCUMENTS | |
|--------------------------|----------|---------------------------|--------------|--|---|
| Examiner's Initials # | Ne mades | U.S. Patent Doc Number | Kind Code | Name of Patentee or Applicant of Cited Document | Date of Publication or Issue of Cited Document MM-DD-YYYY |
| | 6,09 | 0,791 | | Sato et al. | 07-18-2000 |
| | 6,22 | 21,882 | B1 | Macfarlane | 04-24-2001 |
| | 6,42 | 29,199 | Bl | Krieg et al. | 08-06-2002 |
| | 7,22 | 23,741 | B2 | Krieg | 05-29-2007 |
| | 7,27 | 1,156 | B2 | Krieg et al. | 07-18-2007 |
| | 200 | 7-0037767 | A1 | Bratzler et al. | 02-15-2007 |
| | 200 | 7-0065467 | A1 | Krieg et al. | 03-22-2007 |
| | 200 | 7-0066553 | A1 | Krieg et al. | 03-22-2007 |
| | 200 | 7-0066554 | A1 | Krieg et al. | 03-22-2007 |
| | 200 | 7-0078104 | A1 | Krieg et al. | 04-05-2007 |
| | 200 | 7-0129320 | A9 | Davis et al. | 06-07-2007 |
| | 200 | 7-0142315 | A1 | Forsbach et al. | 06-21-2007 |
| | 200 | 7-0184465 | A1 | Wagner et al. | 08-09-2007 |
| | 200 | 7-0202128 | A1 | Krieg et al. | 08-30-2007 |
| | 200 | 7-0224210 | A1 | Krieg et al. | 09-27-2007 |
| | 200 | 7-0232622 | A1 | Lipford et al. | 10-04-2007 |

FOREIGN PATENT DOCUMENTS

| F | Cita | For | eign Patent Docum | ent | Name of Detented on Applicant of Cited | Date of | Translation |
|--------------------------|------|--|--|-------|--|------------|-------------|
| Examiner's Initials # | | Name of Patentee or Applicant of Cited Document | Publication of Cited Document MM-DD-YYYY | (Y/N) | | | |
| | | WO | 2006/080946 | A2 | Coley Pharmaceutical GMBH | 08-03-2006 | · |
| | | wo | 2007/031877 | A2 | Coley Pharmaceutical GMBH | 03-22-2007 | |
| | | wo | 2007/038720 | A2 | Coley Pharmaceutical GMBH | 04-05-2007 | |

OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials # | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|--------------------------|------------|---|----------------------|
| | | Press Release, January 2007, "Coley Pharmaceutical Group Updates Hepatitis C Drug Development Strategy". | |
| | | Press Release, June 2007, "Coley Pharmaceutical Group Announces Pfizer's Discontinuation of Clinical Trials for PF-3512676 Combined with Cytotoxic Chemotherapy in Advanced Non Small Cell Lung Cancer". | |

| EXAMINER: | DATE CONSIDERED: |
|-----------|------------------|
| | |
| | |

[#] EXAMINER: Initial if reference considered, whether or noticitation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

| EOD (DEC | . 1440/4 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. | 1:6 | 1 pmo/op/oo | APPLICATION NO.: | 10/743,625 | ATTY. DOCKET NO | D.: C1039.70073US00 | |
|---|---|---------------------------|-------------|------------------|--------------|--------------------|--------------------------|--|
| , | | FILING DATE: December 22, | | | | December 22, | CONFIRMATION NO.: 9416 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICANT: | Krieg et al. | | | |
| | | | | GROUP ART UNIT: | 1645 | Nita M. Minnifield | | |
| Sheet | 2 | of | 3 | GROUP ART UNIT: | 1045 | EXAMINER: | inna ivi. iviiiiiiiiieid | |

| | KLINE et al., T-lymphocyte dysregulation in asthma. Proc Soc Exp Biol Med. 1994 | |
|------------|--|-----|
| . <u>.</u> | Dec;207(3):243-53. | |
| | KLINE et al., Effects of CpG DNA on Th1/Th2 balance in asthma. Curr Top Microbiol Immunol. | |
| | 2000;247:211-25. | |
| • | ROMAN et al., Gene immunization for allergic disorders. Springer Semin Immunopathol. | |
| | 1997;19(2):223-32. | |
| | Patent Interference No. 105,526. Krieg Substantive Motion 1 (for unpatentability based on | |
| | interference estoppel). (Electronically filed, unsigned). | |
| | Patent Interference No. 105,526 Krieg Substantive Motion 2 (for judgment based on inadequate | |
| | written description and/or enablement). (Electronically filed, unsigned). June 18, 2007. | |
| | Patent Interference No. 105,526. Krieg Contingent Responsive Motion (to add new claims 104 and | |
| | 105). (Electronically filed, unsigned). July 25, 2007. | |
| • | Patent Interference No. 105,526. Krieg Substantive Motion 3 (for judgment based on prior art). | |
| | (Electronically filed, unsigned). June 18, 2007. | |
| | Patent Interference No. 105,526. Raz Motion 1 (Unpatentability of Krieg Claims under 35 U.S.C. § | |
| | 112, First Paragraph). (Electronically filed, unsigned). June 18, 2007. | |
| | Patent Interference No. 105,526. Raz Motion 2 (Raising a Threshold Issue of No Interference-in- | |
| | Fact). (Electronically filed, unsigned). June 18, 2007. | |
| | Patent Interference No. 105,526 Raz Motion 3 (Krieg's Claims are Unpatentable Over Prior Art | |
| | Under 35 U.S.C. § 102(b)) (Electronically filed, unsigned). June 18, 2007. | |
| | Patent Interference No. 105,526. Raz Motion 4 (To Designate Krieg Claims 46 and 82-84 as | |
| | Corresponding to Count 1). (Electronically filed, unsigned). June 18, 2007. | |
| | Patent Interference No. 105,526. Raz Responsive Miscellaneous Motion 5 (To revive the Raz | |
| | Parent Application) (Electronically filed, unsigned) July 25, 2007. | |
| | Patent Interference No. 105,526. Raz Contingent Responsive Motion 6 (To Add a New Claim 58) | • |
| | (Electronically filed, unsigned) July 25, 2007. | |
| | Patent Interference No. 105,526. Krieg Opposition 1 (Opposition to Motion for Lack of Enablement | • • |
| | and Written Description) (Electronically filed, unsigned) September 10, 2007. | |
| • | Patent Interference No. 105,526. Krieg Opposition 2 (to Raz Motion 2) (Electronically filed, | |
| | unsigned) September 10, 2007. | |
| • | Patent Interference No. 105,526. Krieg Opposition 3 (To Raz Motion 3) (Electronically filed, | |
| | unsiged) September 10, 2007. | |
| | Patent Interference No. 105,526. Krieg Opposition 4 (Opposition to Motion for Designating Claims | |
| | 46 and 82-84 as Corresponding to the Court) (Electronically filed, unsigned) September 10, 2007. | |
| e e | Patent Interference No. 105,526. Krieg Opposition 6 (Opposition to Raz Contingent Responsive | |
| | Motion 6) (Electronically filed, unsigned) September 10, 2007. | |
| , | Patent Interference No. 105,526. Raz Opposition 1 (Opposing Krieg Substantive Motion 1) | |
| | (Electronically filed, unsigned) September 10, 2007. | |
| | Patent Interference No. 105,526. Raz Opposition 2 (Opposing Krieg Substantive Motion 2) | |
| | (Electronically filed, unsigned) September 10, 2007. | |
| | Patent Interference No. 105,526. Raz Opposition 4 (Opposing Krieg Contingent Responsive Motion | |
| | to Add New Claims 104 and 105) (Electronically filed, unsigned) September 10, 2007. | |
| | Patent Interference No. 105,526. Krieg Reply 1 (Reply to Raz opposition 1) October 5, 2007 | |

| EXAMINER: | DATE CONSIDERED: |
|-----------|------------------|
| | |
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^{*}EXAMINER: Initial if reference considered, whether or notictation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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|--|---|---|---|--|---|--|-----------------|--|--|
| FORM PTO | D-1449/A an | d B (modifie | d PTO/SB/08) | APPLICATION NO.: | <u> </u> | ATTY. DOCKET NO.: C1039 | .70073US00 | | |
| | | , | LOSURE | FILING DATE: 2003 | December 22, | CONFIRMATION NO.: 9416 | | | |
| - | | | PLICANT | APPLICANT: | APPLICANT: Krieg et al. | | | | |
| Sheet | 3 | of | 3 | GROUP ART UNIT: | 1645 | EXAMINER: Nita M | 1. Minnifield | | |
| | 1 | | <u> </u> | . <u></u> | | L | | | |
| | | | | | | osition 2) October 5, 2007 | | | |
| <u> </u> | | | | | | osition 4) October 5, 2007 | | | |
| | | | | 25,526. Raz Reply 1 (Reply to Krieg opposition 1) October 5, 2007 25,526. Raz Reply 2 (Reply to Krieg opposition 2) October 5, 2007 | | | | | |
| , | | | | | | osition 3) October 5, 2007 | | | |
| | | | | | | osition 4) October 5, 2007 | | | |
| | | | | | | osition 6) October 5, 2007 | | | |
| | | 2071, 207 | 2, 2073, 2074, | 2075, 2076 and 2078) (| October 9, 2007. | o exclude exhibits 2066, 2070, | | | |
| | | Patent Into October 2 | | 05,526. Raz Opposition | 5 (Opposing Krie | eg Miscellaneous Motion 5) | | | |
| | | Patent Into | erference No. 1 | 05,526. Raz Miscellane | ous Motion 7 (To | exclude evidence) October 19, | | | |
| | | Patent Into | erference No. 1 | 05,526. Krieg Oppositi | on 7 (To Raz Misc | cellaneous Motion 7) October 25, | | | |
| | | | erference No. 1 | 05,526. Krieg Reply 5 (| Reply to Raz opp | osition 5) October 30, 2007. | | | |
| | | Patent Int | erference No. 1 | 05,526. Raz Reply 7 (R | eply to Krieg opp | osition 7) October 30, 2007. | | | |
| ling date under NOTE - No core included. So rovided as recorded. | er 35 U.S.C. 1 opies of U.S. pee 37 CFR §1 puired by 37 C | 20 (continuation patents, publishing and 12870 FR §1.98 unles | on, continuation-in- ned U.S. patent app G163. Copies of al | part, and divisional application lications, or pending, unpubli l other patent(s), publication(| ons). shed patent application s), unpublished, pendir | on, Serial No, filed, and relied upor as stored in the USPTO's Image File Wrapping U.S. patent applications, or other information complies with 37 CFR §1.98, and 2) the ear | er (IFW) systen | | |
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